

S. CON. RES. 69

CONCURRENT RESOLUTION

1 *Resolved by the Senate (the House of Representatives*
2 *concurring)*, That, in the enrollment of the bill (S. 830)
3 to amend the Federal Food, Drug, and Cosmetic Act and
4 the Public Health Service Act to improve the regulation
5 of food, drugs, devices, and biological products, and for
6 other purposes, the Secretary of the Senate shall make
7 the following corrections:

8 (1) In section 119(b) of the bill:

9 (A) Strike paragraph (2) (relating to con-
10 forming amendments).

11 (B) Strike “(b) SECTION 505(j).—” and
12 all that follows through ““(3)(A) The Secretary
13 shall” and insert the following:

14 “(b) SECTION 505(j).—Section 505(j) (21 U.S.C.
15 355(j)) is amended by adding at the end the following
16 paragraph:

17 ““(9)(A) The Secretary shall”.

18 (2) In section 125(d)(2) of the bill, in the mat-
19 ter preceding subparagraph (A), insert after “anti-

1 biotic drug” the second place such term appears the
 2 following: “(including any salt or ester of the anti-
 3 biotic drug)”.

4 (3) In section 127(a) of the bill: In section
 5 503A of the Federal Food, Drug, and Cosmetic Act
 6 (as proposed to be inserted by such section 127(a)),
 7 in the second sentence of subsection (d)(2), strike
 8 “or other criteria” and insert “and other criteria”.

9 (4) In section 412(c) of the bill:

10 (A) In subparagraph (1) of section 502(e)
 11 of the Federal Food, Drug, and Cosmetic Act
 12 (as proposed to be amended by such section
 13 412(c)), in subclause (iii) of clause (A), insert
 14 before the period the following: “or to prescrip-
 15 tion drugs”.

16 (B) Strike “(c) MISBRANDING.—Subpara-
 17 graph (1) of section 502(e)” and insert the fol-
 18 lowing:

19 “(c) MISBRANDING.—

20 “(1) IN GENERAL.—Subparagraph (1) of sec-
 21 tion 502(e)”.

22 (C) Add at the end the following:

23 “(2) RULE OF CONSTRUCTION.—Nothing in
 24 this Act, or the amendments made by this Act, shall
 25 affect the question of the authority of the Secretary

1 of Health and Human Services regarding inactive
 2 ingredient labeling for prescription drugs under sec-
 3 tions of the Federal Food, Drug, and Cosmetic Act
 4 other than section 502(e)(1)(A)(iii).”.

5 (5) Strike section 501 of the bill and insert the
 6 following:

7 **“SEC. 501. EFFECTIVE DATE.**

8 “(a) IN GENERAL.—Except as otherwise provided in
 9 this Act, this Act and the amendments made by this Act
 10 shall take effect 90 days after the date of enactment of
 11 this Act.

12 “(b) IMMEDIATE EFFECT.—Notwithstanding sub-
 13 section (a), the provisions of and the amendments made
 14 by sections 111, 121, 125, and 307 of this Act, and the
 15 provisions of section 510(m) of the Federal Food, Drug,
 16 and Cosmetic Act (as added by section 206(a)(2)), shall
 17 take effect on the date of enactment of this Act.”.

Passed the Senate November 13, 1997.

Attest:

Secretary.

105TH CONGRESS
1ST SESSION

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To correct the enrollment of the bill S. 830.